

**Minutes of the Regular Meeting
of the Massachusetts Board of Elementary and Secondary Education
Tuesday, April 23, 2019, 9:30 a.m. – 12:00 noon
Newton North High School Auditorium
457 Walnut Street, Newtonville, MA**

Members of the Board of Elementary and Secondary Education Present:

Katherine Craven, Chair, Brookline

James Morton, Vice-Chair, Boston

Amanda Fernandez, Belmont

Matthew Hills, Newton

Maya Mathews, Student Advisory Council, Newton

Margaret McKenna, Boston

Michael Moriarty, Holyoke

James Peyser, Secretary of Education

Mary Ann Stewart, Lexington (participating remotely via video conference)

Martin West, Newton

Member of the Board of Elementary and Secondary Education Absent:

Ed Doherty, Boston

Jeffrey C. Riley, Commissioner of Elementary and Secondary Education

Chair Craven convened the meeting at 9:35 a.m. and members introduced themselves. Chair Craven noted Ms. Stewart is joining the meeting via video conference under the Board's by-law on remote participation.

Comments from Chair Craven

Chair Craven thanked Governor Baker and Secretary Peyser for appointing her to chair the Board of Elementary and Secondary Education. She said her priorities include coordinating state services and resources for the benefit of students, supporting the Department of Elementary and Secondary Education to be a resource for the field, special education, closing achievement gaps, and accountability. Chair Craven said she expects to schedule a planning retreat for the Board in the fall, and looks forward to holding more meetings in school districts around the state.

Public Comment

- Merrie Najimy, MTA President, addressed the Board on the grade 10 MCAS question.
- Wilmiguel and Yahaira Rodriguez, student and parent, addressed the Board on the grade 10 MCAS question.
- Lisa Guisbond, Executive Director, Citizens for Public Schools, addressed the Board on the grade 10 MCAS question.
- Beth Kontos, AFT-MA President, addressed the Board on the grade 10 MCAS question.

- Juan Cofield, President of the New England conference of the NAACP, addressed the Board on the grade 10 MCAS question.
- Cecelia Doucette, Technology Safety Educator, addressed the Board on use of wireless technology in schools.
- Corey Spaulding, parent, addressed the Board on issues relating to the safety of her child and financial practices in Massachusetts public schools.
- Kahris McLaughlin, Co-Chair of the Racial Imbalance Advisory Council, addressed the Board on school and district accountability.

Comments from Commissioner Riley

Commissioner Riley thanked Superintendent Fleishman and Newton North High School for hosting the Board today. He congratulated Chair Craven on her appointment and welcomed Matt Hills, the Board's newest member. Commissioner Riley commended Maya Mathews for her service on the Board, noting that while she will continue to serve through June, we are at her school today and it has been an honor to work with and for her. Commissioner Riley said she has been a great contributor to the Board's deliberations, joined him on school visits, represented Massachusetts students at the national level, and met with him and our state's congressional delegation in Washington, D.C. He thanked Ms. Mathews for all her contributions.

Commissioner Riley updated the Board on the proposed New Bedford-Alma del Mar charter school partnership. He explained that the New Bedford City Council's vote on the proposed legislation was delayed until this week and said he is cautiously optimistic it will move forward to Beacon Hill as a home rule petition. He noted this Board took two votes on Alma del Mar in January. The Commissioner said he is pleased the parties have been negotiating in good faith and have signed a memorandum of understanding, and the board of Alma del Mar and the school committee have both approved this compromise solution. He said he is watching the timing of the home rule legislative process because families need to be able to plan for the next school year. Commissioner Riley said he will keep the Board informed as matters proceed.

Regarding the grade 10 MCAS question, Commissioner Riley explained that on Friday, March 29, Boston Schools Interim Superintendent Laura Perille alerted Russell Johnston of the Department that several schools in Boston had students express concerns about an MCAS question. The Commissioner said he reviewed the question on Saturday morning, March 30, and after reviewing it and with an abundance of caution, he made the decision that weekend to pull the question, which means the question would not count for the students who have already taken the test, and the small number of students who had yet to take the test were instructed to skip the question.

Commissioner Riley said it is important to review the process, timeline, and genesis of this question as there has been some misinformation. He explained that in addition to the assessment development committee, which reviews content, for about 20 years the Department has had a bias and sensitivity committee comprised of a diverse group of educators who review test passages and questions for possible biases. He noted this particular question was reviewed on three separate occasions by the bias and sensitivity committee and was accepted at each stage, including after it was field tested with students last year.

Commissioner Riley said even after removing this question, test developers have assured him that the test remains sound, valid, and reliable in terms of assessing students' performance in English language arts. He said the Department will do a thorough analysis of the results from this test as we do every year, and in addition to the Department-led analysis, we are commissioning external researchers from Stanford University to run an independent analysis to make sure there are no unintended consequences of this test item.

Commissioner Riley said his overall assessment is that the state has a thorough process to develop and screen questions. He added that the members of the bias and sensitivity committee, as well as everyone who is part of this process, take their work seriously and are to be commended for their efforts. He said despite the strong item-review process, this particular question got past us and as the head of this organization, he accepts responsibility and apologizes for this oversight. The Commissioner said the Department is continuing to review all the information related to this issue to see how we can improve the process in the future.

Commissioner Riley said he firmly believes we must create the conditions for students to learn from history and literature, including aspects that may be challenging. He added it may be that such discussions are better done in a classroom where there is more support and context available than on a test. Commissioner Riley said we want schooling to be relevant and engaging, we want to support educators to bring out the best in our students, and we want our assessments to be of high quality, so students can demonstrate their knowledge. He said he plans to meet with students who raised the concerns. He concluded that we are an educational organization and we learn every day, and this situation was a good reminder that we must continually evaluate and improve our practice. Commissioner Riley said he is committed to doing that.

Comments from Secretary Peyser

Secretary Peyser congratulated Chair Craven on her appointment and Ms. Mathews on the great job she has done and will continue to do over the next few months. He welcomed Mr. Hills to the Board.

Ms. Stewart thanked the public comment speakers and the Commissioner for addressing the MCAS question. She asked if the Board could direct the Department to follow up on the analysis when it is done. Commissioner Riley said his recommendation is to wait for the analysis, so we have a full picture. Ms. Stewart said she would like to make a motion that the Board direct the Department to look into holding the 10th graders harmless on the test. Chair Craven said this could be considered at a future meeting.

Ms. McKenna said she looks forward to the results of the analysis Stanford University is doing. She added that the Commissioner has said work is being done on alternative assessments in history and social science and she would like to see those two things brought to the Board before we move to have a fuller conversation. Mr. Hills said although this is his first meeting, he believes the Commissioner is handling the MCAS matter in exactly the right way: he acknowledged the problem and took action, he is looking at a broad range of issues, and the Board should wait for him to come back with more information. Ms. Mathews asked about the

timeline for the analysis. Commissioner Riley said he believes it should be done by early summer.

Mr. Moriarty concurred that the Board should wait and see what further action might be needed. He said this conversation he would like to hear more from students and the field. Vice-Chair Morton asked if the analysis would just look at that particular question or take a broader view. Commissioner Riley said the researchers are working on those details now, and it will be comprehensive. Vice-Chair Morton said he supports the Commissioner's direction.

Ms. Fernandez said she is glad the Commissioner is arranging for an outside evaluation. She said while the appropriate mechanisms were in place, this is an opportunity to look at broader input in test development, maybe even student review of test items. She added that over the longer term, we should look at project-based learning and assessments. Ms. McKenna voiced her support of Ms. Fernandez's comments. Mr. Moriarty said he read the passage and question and concluded it was a great classroom lesson that teachers should be able to teach; it just did not belong on a test.

Mr. West said he agrees with Mr. Hills; the Commissioner's approach is a model of how to respond to this sort of issue by gathering the facts, being non-defensive, and then making decisions based on analysis of the facts. He added that the Department has strong connections with the research community and will be in a good position to make decisions after the evaluation is completed.

Commissioner Riley said we will take the time to do our due diligence. He noted he has been forthright in saying we need student assessment and need to find ways to do it well, minimizing testing time and also being open to different forms of assessment. He said he would continue to make decisions that reflect the interests of our students. Chair Craven thanked everyone for the thoughtful discussion.

Approval of Minutes

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approves the minutes of the March 26, 2019 Regular Meeting.

The vote was unanimous.

Welcome from Newton Public Schools

Chair Craven introduced Superintendent David Fleishman and Principal Henry Turner. Superintendent Fleishman welcomed the Board and said it is a pleasure to host the meeting at Newton North High School. He congratulated Ms. Mathews for her work on the Board, as the student representative on the Newton School Committee, and as four-year class president. He highlighted the career and technical education program at the high school and the goals and priorities of the district, including narrowing achievement gaps. Principal Turner noted that the

school's culinary arts students made the Board's breakfast and lunch today. He discussed the school's commitment to student exchanges and experiential learning.

Report from the 2018-2019 State Student Advisory Council – Discussion

Ms. Mathews introduced Matt Capone of Westwood High School and Katherine Nessel of the Pioneer Valley Chinese Immersion Charter School in Hadley who are also members of the Global Outreach Workgroup of the State Student Advisory Council. Mr. Capone and Ms. Nessel presented an overview of the activities and accomplishments of the Global Outreach Workgroup. The workgroup has used their student-led social media platform to promote cultural awareness, appreciation of diversity, and global citizenship, especially by means of increased foreign language education. Mr. Capone and Ms. Nessel responded to questions from Vice-Chair Morton and Ms. Fernandez about how the workgroup engages students of color and English learners, and from Mr. Moriarty about the new state seal of biliteracy. Chair Craven thanked the students for their work and their presentation.

FY 2020 Education Budget Proposal from House Ways and Means Committee – Discussion

Commissioner Riley introduced Bill Bell, senior associate commissioner/CFO, Julia Jou, budget director, and Rob O'Donnell, director of school finance, to discuss the FY2020 House Ways and Means Committee (HWM) budget recommendations. Mr. Bell explained that the House budget debate is underway this week. Mr. O'Donnell provided an overview of HWM's recommendations on Chapter 70 and charter reimbursement accounts. He explained that HWM proposed rate changes above inflation in four areas identified in the Foundation Budget Review Commission report: benefits and fixed charges; economically disadvantaged deciles; English learners; and out-of-district special education. Mr. O'Donnell then reviewed the rate change comparison between the HWM proposal and House 1 and outlined the local contributions calculation and restructuring of charter school reimbursement.

Mr. Bell reviewed the proposals for special education circuit breaker and transportation reimbursements. He noted that the HWM budget did not support Governor Baker's sales tax modernization proposal to provide multi-year funding to help drive quality improvement in low-performing schools and help local school districts address their school safety needs. He added HWM did recommend a new account to address needs of districts with high percentages of low-income students as well as transitional aid to districts negatively and significantly impacted by the economically disadvantaged measurement standard used in the Chapter 70 aid calculation.

Mr. Bell noted that HWM increases funding for Metco and after-school grants and includes a new line item to support healthy alliances, an integrated student wellness grant program addressing non-academic barriers to student success. He concluded by highlighting the increase to the teacher certification retained revenue and adult basic education accounts and the creation of the digital literacy and computer science education account.

Ms. Stewart asked Chair Craven if the Board should send a letter about its budget priorities and school finance. Chair Craven said while the Board weighs in on the budget process at the outset, by transmitting its priorities to the Secretary in the late fall, the Board generally does not

comment on various versions of school finance legislation. Mr. Bell confirmed and added that the Joint Committee on Education is actively working on school finance bills and the Department has provided financial analysis to support their work. He said the Department also is working with the Senate Ways and Means Committee on its education budget proposal, to be released in May. Chair Craven said the Board's priorities are evergreen and the budget committee could consider other issues as needed.

Special Education IEP Improvement Update – Discussion

Chair Craven introduced Russell Johnston, senior associate commissioner; Holly-Anne Neal, IEP revision coordinator; and Elizabeth Keliher, assistant director, Special Education Planning and Policy, who provided an update on the Special Education IEP Improvement Project. Mr. Johnston explained that the Department has received requests from stakeholders to improve the IEP process as well as the IEP form. He said the current process is more form-driven than student-centered. Mr. Johnston noted that while an IEP must comply with legal requirements, it should also support improved results for students with disabilities, helping to close achievement gaps in academic, behavioral, and social-emotional domains and ensuring college and career readiness. He explained that the Department plans to develop a new IEP as well as more user-friendly supporting documents such as progress reports for parents.

Mr. Johnston said the Department contracted with an outside vendor, AnLar, to conduct research and provide a recommendation report. He said AnLar collaborated with the Center for Educational Leadership and Technology (CELt) for expertise on the IT aspect of its research. In December 2018, AnLar completed its report and made three recommendations to the Department: (1) improve the IEP process and practices before pursuing a technical solution; (2) rather than creating a state IT solution, consider providing grants to vendors or consortiums of districts to enhance existing technical solutions to meet the requirements of the revised IEP development process (once established); and (3) create a project governance structure that includes a communication and stakeholder engagement plan and establish a stakeholder group to advise the Department throughout the project.

Mr. Johnston said the Department's next steps include developing resources, engaging stakeholders, and implementing changes on a small scale starting in SY2020 with continuous refinement thereafter, as well as evaluating IT options based on a new IEP template.

Mr. West left the meeting at 11:50 a.m.

Ms. McKenna said she hopes this initiative will reduce the intense focus on compliance in the IEP process and increase the focus on finding the right solutions for students. Mr. Johnston said the Department is committed to compliance in service of better results for students. Ms. Fernandez said she is encouraged by the presentation and asked whether the guides will address the emotional support that many parents need as they go through this journey. She also asked what funding is needed to make the changes, and how this initiative relates to the family engagement initiative. Ms. Neal said the Department is working with the Federation for Children with Special Needs and the Family Engagement Advisory Council on the IEP Improvement Project. Ms. Keliher added that the Department's RFR for a vendor specifies that the vendor

must show it has cultural competency, expertise, and experience in engaging families and students. Chair Craven thanked the presenters and said the work shows great promise.

Ms. McKenna commented on the report on chronically underperforming schools that was included in the information section of the Board materials and suggested the schools could use published university reviews of literacy programs if they are not doing so already.

On a motion duly made and seconded, it was:

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting
 at 12:00 noon, subject to the call of the Chair.**

The vote was unanimous.

Respectfully submitted,
Jeffrey C. Riley
Commissioner of Elementary and Secondary Education
and Secretary to the Board